

REMARKS

The Office Action dated May 12, 2005, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

Claims 6, 8, 16 and 18 have been amended, and claims 7 and 17 have been canceled without prejudice. Applicants submit that amendments made herein are fully supported in the specification and the drawings as originally filed, and therefore no new matter has been added. Accordingly, claims 1, 3-6, 8-11, 13-16, and 18-20 are pending in the present application, and claims 6, 8-10, 16, 18-20 are respectfully submitted for consideration.

Claims 6-10 and 16-20 Rejected under 35 U.S.C. § 102

Claims 6-10 and 16-20 were rejected under 35 U.S.C. § 102(a) as being anticipated by Cook (U.S. Patent No. 6,343,505). Applicants respectfully traverse the rejection and submit that each of these claims recites subject matter that is neither disclosed nor suggested by the cited prior art.

Claim 6 recites a method for determining leakage in an evaporated fuel processing system comprising, among other features, a predetermined range that is based on a pressure range within which the vent-shut valve can open.

Claim 16 recites an apparatus for determining leakage in an evaporated fuel processing system comprising, among other features, a predetermined range that is based on a pressure range within which the vent-shut valve can open.

It is respectfully submitted that the prior art fails to disclose or suggest at least the above-mentioned features of the Applicants' invention.

In the Office Action dated January 11, 2005, the Examiner took the position that the subject matter recited in originally filed claims 2 and 12, among others, are allowable. In particular, each of originally filed claims 2 and 12 recites the subject matter of "wherein the predetermined range is based on a pressure range within which the vent-shut valve can open."

It is respectfully submitted that independent claims 1 and 11, among other claims, have been allowed because each of claims 1 and 11 were amended to incorporate the allowable subject matter of "wherein the predetermined range is based on a pressure range within which the vent-shut valve can open."

Applicants submit that each of independent claims 6 and 16 has also been amended to incorporate the allowable subject matter of "wherein the predetermined range is based on a pressure range within which the vent-shut valve can open." Accordingly, claims 6 and 16 are also allowable.

As claims 8-10 depend from claim 6, and claim 18-20 depend from claim 16, Applicants submit that each of these claims incorporates the patentable aspects therein, and are therefore allowable for at least the reasons set forth above with respect to the independent claims, as well as for the additional subject matter recited therein.

Claims 6 and 16 Rejected under 35 U.S.C. § 103(a)

Claims 6 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hopf (JP Patent No. 11-336,626) in view of Shigihama (U.S. Patent No.

6,357,288). Applicants respectfully traverse the rejection and submit that each of independent claims 6 and 16 has also been amended to incorporate the allowable subject matter of "wherein the predetermined range is based on a pressure range within which the vent-shut valve can open." Accordingly, claims 6 and 16 are also allowable.

Conclusion

In view of the above, Applicants respectfully submit that each of claims 6, 8-10, 16, 18-20 recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicants also submit that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully request that claims 6, 8-10, 16, 18-20 be found allowable, similarly with allowed claim 1, 3-5, 11, 13-15 and that this application be passed to issue.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicants respectfully petition for an appropriate extension of time.

Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing attorney docket number 108426-00041.**

Respectfully submitted,



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